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9 UNITED STATES DISTRICT COURT  
10 NORTHERN DISTRICT OF CALIFORNIA  
11 SAN FRANCISCO DIVISION

12  
13 UNITED STATES OF AMERICA, ) No. CR 05-00263 JSW  
14 Plaintiff, ) [PROPOSED] ORDER AND STIPULATION  
15 v. ) EXCLUDING TIME FROM MAY 12, 2005  
16 CESAR TRUJILLO-MARTINEZ, ) TO MAY 26, 2005 FROM THE SPEEDY  
a/k/a Cesar Antonio Trujillo, ) TRIAL ACT CALCULATION  
17 Defendant. ) (18 U.S.C. § 3161(h)(8)(A))  
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19 The parties appeared before the Court on May 12, 2005. With the agreement of the parties,  
20 and with the consent of the defendant, the Court enters this order scheduling a status/trial setting  
21 hearing date of May 26, 2005, at 2:30 p.m., before the Honorable Jeffrey S. White, and  
22 documenting the exclusion of time under the Speedy Trial Act, 18 U.S.C. § 3161(h)(8)(A), from  
23 May 12, 2005 to May 26, 2005. The parties agreed, and the Court found and held, as follows:

- 24 1. The defendant agreed to an exclusion of time under the Speedy Trial Act. Failure to grant  
25 the requested continuance would unreasonably deny both government and defense counsel  
26 reasonable time necessary for effective preparation, taking into account the exercise of due  
27 diligence, and would deny the defendant and the government continuity of counsel.  
28 2. Given these circumstances, the Court found that the ends of justice served by excluding

1 the period from May 12, 2005 to May 26, 2005, outweigh the best interest of the public and the  
2 defendant in a speedy trial. Id. § 3161(h)(8)(A).

3       3. Accordingly, and with the consent of the defendant, the Court ordered that the period from  
4 May 12, 2005 to May 26, 2005, be excluded from Speedy Trial Act calculations under 18 U.S.C.  
5 § 3161(h)(8)(A) & (B)(iv).

6       4. The Court scheduled a status/trial setting hearing date of May 26, 2005, at 2:30 p.m.,  
7 before the Honorable Jeffrey S. White.

8       IT IS SO STIPULATED.

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10 DATED: \_\_\_\_\_ /S/  
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13 DATED: \_\_\_\_\_ /S/  
14 RONALD C. TYLER  
15 IT IS SO ORDERED.  
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17 DATED: June 7, 2005 /s/ Jeffrey S. White  
18 HON. JEFFREY S. WHITE  
19 United States District Judge  
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